

JPW

1632/4

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/877,374	
	Filing Date	June 8, 2001	
	First Named Inventor	Jeffrey C Rapp	
	Art Unit	1632	
	Examiner Name	Ton, Thai-An N	
Total Number of Pages in This Submission	5	Attorney Docket Number	AVI-007

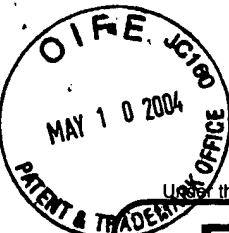
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1) return postcard
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	3) 17 references cited
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Total number of pages does not include the cited references	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	AviGenics, Inc.
Signature	<i>[Signature]</i>
Date	April 26, 2004

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Typed or printed name	Kyle Yesland
Signature	<i>[Signature]</i>
Date	April 26, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

Complete if Known

Application Number	09/877,374
Filing Date	June 8, 2001
First Named Inventor	Jeffrey C Rapp
Examiner Name	Ton, Thai-An N
Art Unit	1632
Attorney Docket No.	AVI-007

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
Deposit Account Name

501729

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180

SUBMITTED BY

(Complete (if applicable))

Name (Print/Type)	Kyle Yesland	Registration No. (Attorney/Agent)	45526	Telephone	706-227-1170
Signature		Date	April 26, 2004		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT

Appl. No. : 09/877,374
Applicant : Jeffrey C Rapp
Filed : June 8, 2001
Title : Production of a Monoclonal Antibody by a Transgenic Chicken

TC/A.U. : 1632
Examiner : Thaian N. Ton

Docket No. : AVI-007

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on or before:

Date April 26, 2004
Signature [Signature]
Name Kyle Vestand

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT FILED
UNDER THE PROVISIONS OF 37 CFR 1.97(c) (2)

Sir:

In connection with the above-identified application, Applicants submit herewith an information disclosure under 37 C.F.R. 1.97(c)(2) and copies of references cited therein.

It is respectfully requested that the cited references be expressly considered during the prosecution of the above referenced application, and the references be made of record and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all of the relevant information, and no inference should be made that the information and references cited are, or are considered to be, material to patentability because they are in this statement. No inference should be made that the

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information and references cited are prior art merely because they are in this statement.

With respect to the surcharge required to be filed with the information disclosure statement, under 37 CFR 1.17(p) applicant estimates that a fee in the amount of \$180 is due. Please charge any required fees or credit any overpayment to deposit account number 501729.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kyle Yesland', written in a cursive style.

Kyle Yesland, Telephone: 706-227-1170
Attorney for Applicant
Reg. No. 45,526
Avigenics, Inc.
111 Riverbend Road
Athens, Georgia 30606

ATTY DOCKET NO.

ART-007

APPLICATION NO

09/877,374

LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT

Rapp, J.

FILING DATE

June 8, 2001

GROUP

1632

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
A01						

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
					YES NO
B01					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

C01	Bachiller <i>et al.</i> Liposome-mediated DNA uptake by sperm cells. Mol. Reprod. and Dev. 1991, 30:194-200, Wiley-Liss, Inc.
C02	Gagne <i>et al.</i> Electroporation of bovine spermatozoa to carry foreign DNA in oocytes. Mol Reprod and Dev. 1991, 29(1):6-15
C03	Gordon <i>et al.</i> Production of human tissue plasminogen activator in transgenic mouse milk. Bio/Technology 1987, 5:1183-1187
C04	Harvey and Ivarie, Validating the hen as a bioreactor for the production of exogenous proteins in egg white. Poult Sci. 2003, 82(6):927-930
C05	Ivarie R. Avian transgenesis: progress towards the promise. Trends Biotechnol. 2003, 21(1):14-19.
C06	Jaenisch R. Germ line integration and Mendelian transmission of the exogenous Moloney leukemia virus. Proc Natl Acad Sci U S A. 1976, 73(4):1260-1264.
C07	Jaenisch R. Retroviruses and embryogenesis: microinjection of Moloney leukemia virus into midgestation mouse embryos. Cell. 1980, 19(1):181-188
C08	Jeong <i>et al.</i> Migration activity of chicken gonadal primordial germ cells (gPGCs) and post-transfer localization of LacZ-transfected gPGCs in the embryonic gonads. Asian-Australasian J. Anim. Sci. 2002, 15(9):1227-1231
C09	Kohler and Milstein, Continuous cultures of fused cells secreting antibody of predefined specificity. Nature. 1975, 256(5517):495-497
C10	Lampard <i>et al.</i> Secretion of foreign proteins mediated by chicken lysozyme gene regulatory sequences. Biochem Cell Biol. 2002;80(6):777-788
C11	Naito <i>et al.</i> Introduction of exogenous DNA into somatic and germ cells of chickens by microinjection into the germinal disc of fertilized ova. Molecular Reproduction and Development. 1994, 37:167-171 Wiley-Liss, Inc.
C12	Nakanishi and Iritani, Gene transfer in the chicken by sperm-mediated methods. Mol. Reprod. and Dev. 1993, 36:258-261 Wiley-Liss, Inc.
C13	Park <i>et al.</i> Birth of germline chimeras by transfer of chicken embryonic germ (EG) cells into recipient embryos. Mol Reprod Dev. 2003, 65(4):389-395
C14	Sang and Perry, Episomal replication of cloned DNA injected into the fertilised ovum of the hen, Gallus domesticus. Mol Reprod Dev. 1989, 1(2):98-106
C15	Schiest RH, Petes TD. Integration of DNA fragments by illegitimate recombination in Saccharomyces cerevisiae. Proc Natl Acad Sci U S A. 1991, 88(17):7585-9
C16	Tanaka <i>et al.</i> Chick production by in vitro fertilization of the fowl ovum. J Reprod Fertil. 1994, 100(2):447-449
C17	Wilmut <i>et al.</i> Methods of gene transfer and their potential use to modify milk composition. Theriogenology 1990, 33(1):113

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered; whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.